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April 5, 2023

VIA ECF

Hon. Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Re: *S.W. v. New York City Dep't of Educ.*, 23-cv-020 (PGG)(SDA)

Dear Judge Gardephe:

I am the attorney for Plaintiff in the above-referenced action. Pursuant to this action, Plaintiff seeks attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action. Plaintiff also seeks implementation of the terms of an Impartial Hearing Officer's Findings of Fact and Decision ("FOFD") issued following the administrative due process hearing.

The parties write jointly to respectfully request that the initial pre-trial conference, scheduled for April 13, 2023, be adjourned *sine die*, and that the parties instead be permitted to submit a joint status letter no later than May 5, 2023 updating the Court as to whether the implementation claims in this case have been resolved, and if not, whether the parties believe any discovery or conferences might be needed as to those claims.. This is the first request to adjourn the conference *sine die*.

At this time, the parties are making significant progress towards resolving the issues relating to the implementation of the terms of the FOFD. . Once the implementation claims have been resolved, the parties will then begin settlement discussions with respect to the sole remaining issue of reasonable attorneys' fees and costs.

Thank you for your consideration.

Respectfully submitted,

s/ Kevin M. Mendillo

Kevin M. Mendillo
Attorney for Plaintiffs

cc: Bryn M. Ritchie, Esq.
Attorney for Defendant

MEMO ENDORSED:

The conference currently scheduled for April 13, 2023, is adjourned to **May 11, 2023, at 10:15 a.m.**

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style. The first name "Paul" is prominent, followed by "G." and "Gardephe".

Paul G. Gardephe
United States District Judge

Dated: April 7, 2023